

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNION DEL PUEBLO ENTERO, et al, §
§
Plaintiffs, § LEAD CASE NO. 5:21-CV-00844-XR
§
v. §
§ CONSOLIDATED CASE NO. 1:21-CV
§ 0786-XR
GREGORY W. ABBOTT, et al, §
§
Defendants. §
§
§
LULAC TEXAS, et al, §
§
Plaintiffs, §
§
v. §
§
John Scott, et al, §
§
Defendants. §

MOTION FOR SUBSTITUTION OF COUNSEL

COMES NOW Defendant, Bill Hicks¹, in his official capacity as District Attorney for El Paso, Hudspeth, and Culberson Counties (“DA Hicks”) and respectfully gives notice to this Honorable Court of a substitution of counsel and would show the Court the following:

I.

Defendant Yvonne Rosales in Defendant is currently represented by ROGER RODRIGUEZ. Defendant is desirous of substituting IAN R. KAPLAN, Assistant County Attorney. ROGER RODRIGUEZ is in agreement that this substitution should take place.

¹ Texas Gov. Greg Abbott appointed Bill Hicks as District Attorney on December 14, 2022 after former District Attorney Yvonne Rosales announced on November 28, 2022 that she would leave office effective December 14, 2022.

II.

This Motion for Substitution is not made for the purpose of delay, but rather that the interest of justice may be served.

WHEREFORE, PREMISES CONSIDERED, Defendant Bill Hicks, in his official capacity as District Attorney for El Paso, Hudspeth, and Culberson Counties respectfully requests and gives notice to this Court of the substitution of counsel of record, IAN R. KAPLAN, Assistant County Attorney for ROGER RODRIGUEZ.

Respectfully submitted,

**JO ANNE BERNAL
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BY: /s/ Ian R. Kaplan
IAN R. KAPLAN
Assistant County Attorney
Texas Bar No. 24043747

Attorney for District Attorney Bill Hicks

CERTIFICATE OF CONFERENCE

I hereby certify that on April 26, 2023 I attempted to confer with counsel for Yvonne Rosales, Mr. Roger Rodriguez about the foregoing motion. Mr. Rodriguez has not indicated whether he is opposed or unopposed to this motion.

/s/ Ian R. Kaplan
IAN R. KAPLAN

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically on May 9, 2023 with the Clerk of the Court for the U.S. Western District of Texas by using the CM/ECF system, causing electronic service upon all counsel of record.

/s/ Ian R. Kaplan
IAN R. KAPLAN